



Federal Communications Commission
Consumer & Governmental Affairs Bureau
Washington, D.C. 20554

August 12, 2004

03-123 ✓
9867 CGB

Control No. 0402370-Pol

Ms. Kim Medina
164 Wynntry Circle
Henderson, NV 89074

DOCKET FILE COPY ORIGINAL

Dear Ms Medina:

Thank you for your letter of June 22, 2004, to Senator Richard Harry Reid, expressing your concerns regarding Video Relay Service (VRS), a form of telecommunications relay service (TRS). Your correspondence was forwarded to the Federal Communications Commission's (Commission or FCC), Consumer & Governmental Affairs Bureau (the Bureau) for handling.

Your letter asks that the FCC not reduce the VRS compensation rate until VRS becomes available 24 hours per day, 7 days per week, with high quality services and accessibility.

As an initial matter, the rate for compensating VRS providers is not dependent on whether the service is offered on a 24/7 basis or vice versa. Since VRS is not a mandatory form of TRS, there is no requirement that it be offered on a 24/7 basis. However, there is nothing to prevent VRS providers from offering the service on a 24/7 basis. TRS providers are currently operating under waivers of the rule so that they do not have to provide the service on a 24/7 basis, but may still be compensated from the Interstate TRS Fund (the Fund).

We also note that, as a practical matter, the Commission neither "raises" nor "reduces" the TRS compensation rates, but adopts them on an annual basis, based on projected cost and usage data submitted by the providers. This data is submitted to the National Exchange Carrier Association (NECA), which is the TRS Fund administrator. Each year, NECA reviews these submissions and recommends a compensation rate to the Commission. For the July 2004 to June 2005 Fund year, NECA submitted a proposed VRS compensation rate of \$7.293 per minute. On June 30, 2004, the Bureau issued an Order (DA 04-1999) approving NECA's proposed rate, subject to adjustments discussed in the Bureau's Order. A copy of that Order (DA 04-1999) is enclosed.

We further note that VRS continues to grow rapidly in popularity, despite the fact it is not available on a 24/7 basis. In fact, although VRS has been available only for the past two and a half years, in the past year alone the use of VRS has increased from 211,529 minutes in June 2003, to 733,040 minutes in May 2004. We also note that we are continuing to raise and


address new issues as provision of this important service evolves. On June 30, 2004, the Commission released an order that included a Further Notice of Proposed Rulemaking (FNPRM), in CG Docket No. 03-123 (FCC 04-137), seeking comment on various matters concerning, *inter alia*, VRS. Specifically, with regard to VRS, the FNPRM seeks comment on the appropriate cost recovery methodology for VRS; whether the Commission should adopt jurisdictional separation of costs for VRS so that all VRS costs are not reimbursed from the federal Interstate TRS Fund; whether VRS should become a mandatory form of TRS; whether VRS should be required to be offered 7 days a week, 24 hours a day; and whether a "speed of answer" rule should be applied to the provision of VRS. A copy of the Report & Order, Order on Reconsideration and Further Notice of Proposed Rule Making that was released by the Commission on June 30, 2004, is also enclosed.

To the extent you have concerns about the provision of VRS, we encourage you to actively participate in proceedings before the Commission to ensure that your opinions are expressed and considered fully. The Commission has available an e-mail service designed to apprise consumers about developments at the Commission, to disseminate consumer information materials prepared by the Commission to a wide audience, and to invite comments from other parties on Commission regulatory proposals. This free service enables consumers to subscribe and receive FCC fact sheets, consumer brochures and alerts, and public notices, among other consumer information. To subscribe, an individual should send an e-mail to subscribe@info.fcc.gov and, in either the subject line or the message insert: "subscribe fcc-consumer-info first name last name" (e.g., "subscribe fcc-consumer-info John Doe").

We also invite you to visit the Consumer & Governmental Affairs Bureau's Internet web site at <http://www.fcc.gov/cgb> or the Commission's Home Page located at <http://www.fcc.gov>.

We note that you have already filed your letter in the docket for these ongoing TRS proceedings, and these comments will be considered therein. We appreciate your inquiry. Please do not hesitate to contact us if you have further questions.

Sincerely,

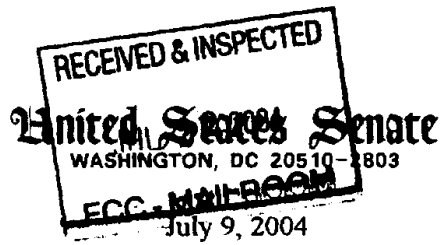


K. Dane Snowden
Chief
Consumer & Governmental Affairs Bureau

Enclosures

cc: Senator Harry Reid

HARRY REID
NEVADA



CCF
Policy-desrb
2370

Ms. Diane Atkinson
Federal Communications Commission
445 12th Street, S.W., Room 8-C453
Washington, D.C. 20554-0001

Dear Ms. Atkinson:

Enclosed is a letter I have received from Ms. Kim Medina.

I would appreciate your reviewing this situation and providing answers to my constituent's concern. Please send your reply directly to Ms. Medina, and send a copy of your response to me.

Thank you for your cooperation and assistance.

My best wishes to you.

Sincerely,

HARRY REID
United States Senator

HR:kj

22 JUL 2004 RCUD

#73 7192909 - Ms. Kim Medina, In ID: 2389810, Out ID: 2518649

From: Nobody <nobody@www.senate.gov>
Date: 6/28/2004 5:25:45 PM
Subject: www_email

Kim Medina
164 Wynntry Cir
Henderson, NV 89074

June 22, 2004

The Honorable Harry Reid
United States Senate
528 Hart Senate Office Building
Washington, D.C. 20510-2803

Senator Reid:

Please do not let the FCC reduce the rates of VRS. The reason is that VRS is not accessible 24/7 now and the quality needs to be upgraded. This is the most accessible telecommunications system that I have used when having

conversations with Deaf and Hard-of Hearing people. This service is VALUABLE for the Deaf community.

Sincerely,

Kim Medina

==== Original Formatted Message Starts Here =====

<APP>SCCMAIL
<PREFIX>Ms.</PREFIX>
<FIRST>Kim</FIRST>
<MIDDLE></MIDDLE>
<LAST>Medina</LAST>
<ADDR1>164 Wynntry Cir</ADDR1>
<ADDR2></ADDR2>
<CITY>Henderson</CITY>
<STATE>NV</STATE>
<ZIP>89074</ZIP>
<PHONE>702-260-6338</PHONE>
<EMAIL>kjmedina@interact.ccsd.net</EMAIL>
<ISSUE>COMMU</ISSUE>
<MSG>Kim Medina
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